

(REV 04/02)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

VER-153XX

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/980,106

HJ

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 36 U.S.C. 371**

INTERNATIONAL APPLICATION NO.
PCT/NL00/00365

INTERNATIONAL FILING DATE
26 May 2000

PRIORITY DATE CLAIMED
27 May 1999

TITLE OF INVENTION

FUEL CELL SYSTEM FOR GENERATING ELECTRIC ENERGY AND HEAT

APPLICANT(S) FOR DO/EO/US

Anton Scholten, Petrus Franciscus Maria Theresia van Nisselrooij, Joannes Maria der Kinderen, and Heinz Werner Freese

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)).
 - a. ☐ is attached hereto.
 - b. ☐ had been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

PETITION FOR ONE-MONTH EXTENSION OF TIME and check for \$110.00

Express Mail Number

EV 009950113 US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/980,106		INTERNATIONAL APPLICATION NO PCT/NL00/00365		ATTORNEY'S DOCKET NUMBER VER-153XX	
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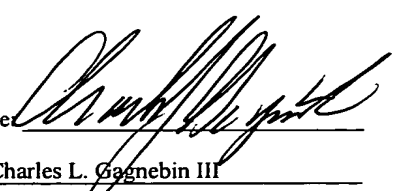
<p>21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>X \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>X \$84.00</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+\$280.00</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$130.00</td> </tr> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <p style="text-align: right;">SUBTOTAL =</p> <p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p style="text-align: right;">TOTAL NATIONAL FEE =</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p> <p style="text-align: right;">TOTAL FEES ENCLOSED =</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">04/15/2002 MNGUYEN 00000038 09980106</td> <td style="width:20%;">Amount to be</td> <td style="width:20%;">\$</td> </tr> <tr> <td>01 FC:154 130.00 OP</td> <td>Refunded:</td> <td>\$</td> </tr> <tr> <td></td> <td>Charged:</td> <td>\$</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	- 20 =		X \$18.00	\$	Independent claims	- 3 =		X \$84.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$280.00	\$	TOTAL OF ABOVE CALCULATIONS =				\$130.00	04/15/2002 MNGUYEN 00000038 09980106	Amount to be	\$	01 FC:154 130.00 OP	Refunded:	\$		Charged:	\$	<p>CALCULATIONS PTO USE ONLY</p>
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01 FC:154 130.00 OP	Refunded:	\$																																	
	Charged:	\$																																	

a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed. A check in the amount of \$40.00
is enclosed for the assignment recordation fee.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 23-0804. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

<p><input checked="" type="checkbox"/> Customer Number 207</p> <p style="text-align: center;">  Attorney Signature: _____ Attorney Name: <u>Charles L. Gagnebin III</u> </p>	<p>which is associated with the Law Firm of: WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP Ten Post Office Square Boston, Massachusetts 02109 United States Telephone: (617) 542-2290 Fax: (617) 451-0313</p> <p>Date: <u>4-9-2</u></p> <p>Registration No: <u>25,467</u></p>
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09 APR 2002

#4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : ANTON SCHOLTEN, ET AL.
Application No. : 09/980,106
Filed : November 27, 2001
For : FUEL CELL SYSTEM FOR GENERATING ELECTRIC
ENERGY AND HEAT
Examiner :
Attorney's Docket : VER-153XX

Group Art Unit:

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an
envelope addressed to: Commissioner for Patents, Washington,
D.C. 20231 on _____.

By: _____
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

PETITION FOR EXTENSION OF TIME UNDER SECTION 1.136

Commissioner for Patents
Washington, D.C. 20231
04/15/2002 HNGUYEN 00000038 09980106

03 FC:115 110.00 OP
Sir:

It is requested that the time for response to the
Notification of Missing Requirements dated January 25, 2002 be
extended for a one month period of time to end April 25, 2002,
under the provisions of new Section 1.136. The fee of \$110.00
called for by Section 1.17 is enclosed herewith.

Express Mail Number
EV 009950113 US

Application No.: 09/980,106

Filed: November 27, 2001

Group Art Unit:

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 23-0804. Triplicate copies of this transmittal letter are enclosed.

This petition and the fee accompany applicant's response to the Notification of Missing Requirements.

Respectfully submitted,

ANTON SCHOLTEN, ET AL.

By: 

Charles L. Gagnebin III

Registration No. 25,467

Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP

Ten Post Office Square
Boston, Massachusetts 02109

Telephone: (617) 542-2290

Telecopier: (617) 451-0313

Date: 4-9-2

CLG:kmw/270577-1



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/980,106	FIRST NAMED APPLICANT Anton Scholten	ATTY. DOCKET NO. VER-153 XX
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INTERNATIONAL APPLICATION NO. PCT/NL00/00365

I.A. FILING DATE 05/26/2000	PRIORITY DATE 05/27/1999
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207
 WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP
 TEN POST OFFICE SQUARE
 BOSTON, MA 02109

CONFIRMATION NO. 1182
 371 FORMALITIES LETTER



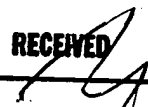
OC00u000007320479

Date Mailed: 01/25/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

BY: 
 RECEIVED
 FEB 04 2002

WEINGARTEN, SCHURGIN,
 GAGNEBIN & LEOVICI LLP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,106	PCT/NL00/00365	VER-153 XX